

SPECIAL MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
320 Lincoln St.
Anthony, NM 88021

Thursday, July 12, 2012
5:30 P.M.

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

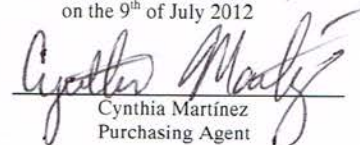
THOSE ITEMS ON THE AGENDA INDICATED BY AN ASTERISK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ONE BY ONE MOTION UNLESS A COUNCILOR REQUESTS THAT A SPECIFIC ITEM BE REMOVED AND PLACED ON THE REGULAR AGENDA FOR DISCUSSION PURPOSES.

4. APPROVAL OF AGENDA ORDER
5. PUBLIC MEETING
Work Session:
 - A. Discuss Subdivision Design Ordinance (DRAFT) for the City of Anthony, New Mexico in order to propose to the City's Board of Trustees for adoption.
6. PUBLIC COMMENTS
7. COMMISSION MEMBER COMMENTS
8. CHAIRMAN COMMENTS
9. ADJOURNMENT

POSTED:

City of Anthony City Clerk Office
El Paso Electric Company
NM Gas Company
Anthony Post Office
Senior Citizen Center
Anthony Water & Sanitation District

Filed in the office of the City
on the 9th of July 2012


Cynthia Martínez
Purchasing Agent

PLEASE NOTE: *If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Office of the City Clerk at 575-882-2983 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Office of the City Clerk at 575-882-2983, if a summary or other type of accessible format is needed.*

SPECIAL MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
320 Lincoln St.
Anthony, NM 88021

Thursday, July 12, 2012
5:30 P.M.

MINUTES

1. **CALL TO ORDER @ 5:36 pm** by *Chairman Herrera*
2. **PLEDGE OF ALLEGIANCE** by *Eleazar Roman*
3. **ROLL CALL:** *Present – Chair Herrera, Comm. Madrid, Comm. Gonzalez, Absent- Comm. Mimbela, Late- Comm. Brumlow*
4. **APPROVAL OF AGENDA ORDER** *Motion was made by Comm. Gonzalez, 2nd by Comm. Madrid, unanimous vote, motion passed and agenda was approved.*

5. PUBLIC MEETING

Work Session:

- A. Discuss Subdivision Design Ordinance (DRAFT) for the City of Anthony, New Mexico in order to propose to the City's Board of Trustees for adoption.
Discussion: Chairman Herrera asked for Commissioner comments regarding the Subdivision Ordinance.
Comm. Gonzalez: asked where the money for the fees collected from the Subdivision fees would go? Mr. Paul Howard said it would be a good idea if it went towards engineering services and Chairman Herrera said for city improvements.
Chairman Herrera said that all changes to the subdivision have been made and it is ready to be sent to the Board of Trustees.
Comm. Madrid and Comm. Gonzalez said that the Subdivision Ordinance is ready to be sent out to the Board of Trustees and they have worked on it for the last three months.
Mr. Jose Terrones from Anthony Water and Sanitation District asked if the City Attorney had revised it? Chairman Herrera said no, not yet. Mr. Terrones was just concerned because the wording on the copy of the Subdivision Ordinance he was given at the last meeting was not accurate with the copy he was given in today's meeting. His main concern is the wording on the 17.30.060 Utility Improvements Section B. Cynthia Martínez, Purchasing Agent, will check on the accuracy of the Subdivision Ordinance that will be sent to the Board of Trustees. Mr. Howard said to have the City Attorney revise it. A motion was made by Comm. Madrid to send the Subdivision Ordinance to the Board of Trustees so that the City Attorney can revise it and was 2nd by Comm. Gonzalez, unanimous vote, motion carried.

6. PUBLIC COMMENTS

None

7. COMMISSION MEMBER COMMENTS

Comm. Madrid- is glad that the Subdivision is being sent to the Board of Trustees.

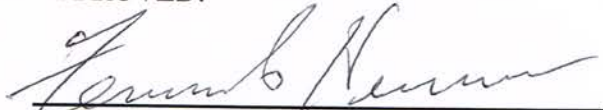
Comm. Gonzalez – said it is time to be on board and thanked Mr. Howard for all his help and said that he feels the Subdivision is ready to be sent to the Board of Trustees and have the City Attorney revised it.

Comm. Brumlow- none.

8. CHAIRMAN COMMENTS – *Thanked Mr. Howard and the Commissioners for all the help in the process of putting the Subdivision Ordinance together. Approved draft copy of the Subdivision Ordinance to be sent to the Board of Trustees for review to be sent to the City Attorney.*


9. ADJOURNMENT @ 5:56 pm, *motion made to adjourn by Comm. Madrid, 2nd by Comm. Brumlow, unanimous vote, meeting adjourned.*

APPROVED:



Fernando Herrera, Chair

ATTEST:



Cynthia Martínez, Purchasing Agent

{SEAL}

*Prepared by Cynthia Martínez
Approved at Regular Meeting held on July 26, 2012*

REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
320 Lincoln St.
Anthony, NM 88021

Thursday, July 12, 2012
6:00 P.M.

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

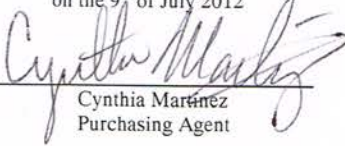
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4. APPROVAL OF AGENDA ORDER
5. APPROVAL OF MINUTES
 - A. Regular Meeting May 10, 2012
 - B. Special Meeting May 17, 2012
 - C. Regular Meeting June 14, 2012
 - D. Regular Meeting June 28, 2012
6. PUBLIC MEETING
 - Cases:
 - A. Case No. 12.07.001 – Residents Rudy & Margarita Montoya wishing to obtain a mobile home permit for 1171 Tierra Huichol Circle.
 - B. Case No. 12.07.002 – Resident Rosalio Morales wishing to obtain mobile permit for 1100 Tierra Huichol.
 - C. Case No. 12.07.003 – Resident Petra Acuña wishing to obtain a yard sale permit for 1213 Livesay St.
 - Item:
 - A. Presentation by Paul Dugie, Director of Flood Commission for Doña Ana County and Bill Borthwick, Street Flood Insurance Coordinator.
7. PUBLIC COMMENTS
8. COMMISSION MEMBER COMMENTS
9. CHAIRMAN COMMENTS
10. ADJOURNMENT

POSTED:

City of Anthony City Clerk Office
El Paso Electric Company
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Anthony Water & Sanitation District

Filed in the office of the City Clerk
on the 9th of July 2012


Cynthia Martinez
Purchasing Agent

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REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
320 Lincoln St.
Anthony, NM 88021

Thursday, July 12, 2012
6:00 P.M.

MINUTES

1. **CALL TO ORDER @ 6:00 p.m.** by *Chairman Herrera*
2. **PLEDGE OF ALLEGIANCE** by *Trustee Betty Gonzalez*
3. **ROLL CALL:** *Present – Chair Herrera, Comm. Madrid, Comm. Gonzalez, Comm. Brumlow, Absent – Comm. Mimbela*
4. **APPROVAL OF AGENDA ORDER** *Motion was made by Comm. Madrid to move Flood Presentation by Paul Dugie, Director of Flood Commission for Doña Ana County and Bill Borthwick, Street Flood Insurance Coordinator, 2nd by Comm. Gonzalez, unanimous vote, motion passed and agenda was approved.*
5. **APPROVAL OF MINUTES**
 - *Regular Meeting May 10, 2012
 - Special Meeting May 17, 2012
 - Regular Meeting June 14, 2012
 - Regular Meeting June 28, 2012
 - The approval of minutes was skipped during this meeting but will be approved at the next Regular Planning & Zoning Meeting July 26, 2012.*
6. **PUBLIC MEETING**

Item:

- A. Presentation by Paul Dugie, Director of Flood Commission for Doña Ana County and Bill Borthwick, Street Flood Insurance Coordinator.
Discussion: Informed the Commissioners and public present about the possibility of adopting a flood ordinance since Anthony has had flooding problems in the past. They explained that if the city passed an ordinance which required its residents to pay a subsidized insurance flood fee, they could benefit from it. They explained that in the state of New Mexico there are different policies and depending on the district, each town/city would need to follow those policies if they decided to adopt a flood ordinance for the city. They also informed the Commissioners and the public present at the meeting that when cities decide to adopt a flood ordinance FEMA usually helps in cases where communities suffer floods and they help determine if the President needs to declare that area, an area of natural disaster. Mr. Borthwick mentioned that a packet with flooding information has been sent to Mayor Arnulfo Castañeda and Trustee Betty Gonzalez. Mr. Dugie offered his help if the city decided to adopt a flood ordinance.

Cases:

A. **Case No. 12.07.001** – Residents Rudy & Margarita Montoya wishing to obtain a mobile home permit for 1171 Tierra Huichol Circle. Correction on the last name from Montoya to Mota. *Discussion: Owner moved a mobile home without permission because she did not know she needed a permit. Resident wants to get a permit to move old mobile home and place in a different one. Mr. Roman, has inspected the property and the resident meets the setbacks required for the lot. Resident wants to move in the newer mobile home in as well as keep the current mobile home there and get a 30-day mobile permit to move out the old mobile home. Comm. Gonzalez asked if utilities were installed and resident said yes. A motion was made by Comm. Brumlow to approve Case No. 12.07.001 giving the resident 30 days to remove her old mobile home from the property. Within 30 days, resident must move out the older mobile home and Mr. Roman (City Inspector) must inspect the proper installation of the new mobile home, 2nd by Comm. Madrid, unanimous vote, motion carried and case was approved.*

B. **Case No. 12.07.002** – Resident Rosalio Morales wishing to obtain a mobile permit for 1100 Tierra Huichol.
Discussion: Resident wants to buy a 1997 mobile home but he currently has one installed in the lot. His son-in-law will be buying his old mobile home and taking it outside the city. He currently cannot afford the expense of \$1,500 for moving it but said he would do his best to gather the money necessary to move this mobile home. The resident would like to get a permit that would allow him to have both mobile homes at the same lot. Mr. Roman has inspected the lot and advised the owner that he needed to clean the lot, the owner has complied and the lot has been cleaned and he also inspected that the lot met the setbacks and passed the inspection. This case is similar to the case above in which the owner wants to buy another mobile home and have a 30-day permit to remove the older mobile home. Chairman Herrera advised the buyer that whoever the carrier is, he must possess a Business Registration with the City of Anthony. All Commissioners reviewed the documentation that Mr. Morales submitted in order to obtain the 30-day permit. A motion was made by Comm. Gonzalez to approve Case No. 12.07.002 upon the condition that the old mobile home be removed from the lot within 30-days and owner must advise Mr. Roman when the new mobile home arrives so that the 30-day permit can be activated, 2nd by Comm. Brumlow, unanimous vote, motion carried and case was approved.

C. **Case No. 12.07.003** – Resident Petra Acuña wishing to obtain a yard sale permit for 1213 Livesay St.
Discussion: Resident would like to obtain a permit that allows her to have more than 4 yard sales per year at 1213 Livesay St. Commissioners told resident that the zone where she would like to have the yard-sale is not zoned for business purposes. Resident said that she would like to sell used clothes and other used items to help her daughter who currently studies near Puerto Rico and by having these yard-sales she would be helping her daughter pay for her schooling expenses. Commissioners noted that the resident lives in a different location from where she would like to have the yard-sales. Commissioners also looked at the City Ordinance for yard-sales and noted that on pages 79-80 it states that the resident can only have indoor sales and not outdoor sales. The resident was told that the city only allows 4 yard-sales per year at no cost to her. A motion was made to deny Case No. 12.07.003 by Commissioners and the Chairman to not approve this case because it is not a commercial property.

THIS CASE WAS DENIED BECAUSE THE AREA IS ZONED RESIDENTIAL AND NOT COMMERCIAL.

7. PUBLIC COMMENTS

Mr. Paul Howard- feels that the Flood information that was presented today by Paul Dugie and Bill Borthwick should be forwarded to the Board of Trustees and find out how this proposal would help the residents of Anthony.

Heliodoro Hinojosa- Wants to know how much it would cost the residents of Anthony to pay for the flood insurance. Resident was told that it would depend if the ordinance was passed.

8. COMMISSION MEMBER COMMENTS

Comm. Madrid-Thanked Mr. Howard and said he was glad the Subdivision Ordinance is going to the Board of Trustees.

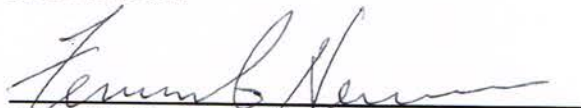
Comm. Gonzalez- Hopes Mr. Howard continues helping the city.

Comm. Brumlow- Hopes the Planning and Zoning Commission does not have to make changes on the Subdivision Ordinance. She will also keep looking out for any trainings that the Commissioners can attend to educate the community.

9. CHAIRMAN COMMENTS – *Thanked Mr. Paul Howard for all his help. Would like for Commissioners as well as the Chairman to attend trainings so that they can educate and inform the public. He also said that it is important for Commissioners to attend meetings because it is important that when a decision is made all Commissioners can vote on it and know about the cases.*

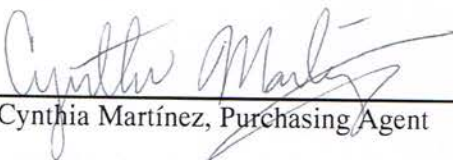
10. ADJOURNMENT @ 7:29pm, motion made to adjourn by Comm. Madrid, 2nd by Comm. Brumlow, unanimous vote, meeting adjourned.

APPROVED:



Fernando Herrera, Chairman

ATTEST:



Cynthia Martínez, Purchasing Agent

{SEAL}

*Prepared by Cynthia Martínez
Approved at Regular Meeting held on July 26, 2012*

REGULAR MEETING

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Municipal Building
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6:00 P.M.

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4. APPROVAL OF AGENDA ORDER

5. APPROVAL OF MINUTES

- A. Regular Meeting May 10, 2012
- B. Special Meeting May 17, 2012
- C. Regular Meeting June 14, 2012
- D. Regular Meeting June 28, 2012
- E. Special Meeting July 12, 2012
- F. Regular Meeting July 12, 2012

6. PUBLIC MEETING

Cases:

- A. Case No. 12.07.004 – Mr. Javier Murguia requesting zone change for property located on 4th Street between Hettinga Rd. and Curry Ct.
- B. Case No. 12.07.005 – Mr. Jose Nuñez wishing to annex his property to be included inside the city limits.

7. PUBLIC COMMENTS

8. COMMISSION MEMBER COMMENTS

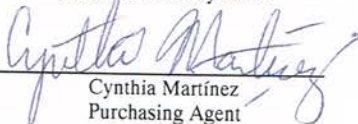
9. CHAIRMAN COMMENTS

10. ADJOURNMENT

POSTED:

City of Anthony City Clerk Office
El Paso Electric Company
NM Gas Company
Anthony Post Office
Senior Citizen Center
Anthony Water & Sanitation District

Filed in the office of the City Clerk
on the 23rd of July 2012


Cynthia Martínez
Purchasing Agent

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REGULAR MEETING

City of Anthony, NM Planning and Zoning Commission
Municipal Building
320 Lincoln St.
Anthony, NM 88021

Thursday, July 26, 2012
6:00 P.M.

MINUTES

1. **CALL TO ORDER** @ 6:02pm by *Chairman Fernando Herrera*
2. **PLEDGE OF ALLEGIANCE** by *Commissioner Janny Brumlow*
3. **ROLL CALL:** *Present – Comm. Gonzalez, Comm. Brumlow, Chair Herrera, Late- Comm. Madrid, Absent-Comm. Mimbela (Excused)*
4. **APPROVAL OF AGENDA ORDER** *Motion was made by Comm. Brumlow to approve agenda order, 2nd by Comm. Gonzalez, unanimous vote, motion passed and agenda was approved.*
5. **APPROVAL OF MINUTES**
 - * Regular Meeting May 10, 2012
 - * Special Meeting May 17, 2012
 - * Regular Meeting June 14, 2012
 - * Regular Meeting June 28, 2012
 - * Special Meeting July 12, 2012
 - * Regular Meeting July 12, 2012
 - *Motion was made by Comm. Gonzalez to approve these minutes, except for the minutes of Regular Meeting June 14, 2012 which will be approved at the next regular Planning & Zoning meeting, 2nd by Comm. Brumlow, unanimous vote, motion passed and minutes were approved.*
6. **PUBLIC MEETING**

Cases:

- A. **Case No. 12.07. 004** – Mr. Javier Murguia requesting zone change for property located on 4th street between Hettinga Rd. and Curry Ct. to establish a flea market in a residential area.

Discussion: presented to the Commissioners and Chairman the proposal of establishing a possible zone change to put a flea market on 4th Street, between Hettinga Rd. & Curry Ct on a 1 acre lot that he currently owns. Mr. Murguia gave a presentation of the plans he has for the flea market and said that he has seen that there is a need for a flea market here in Anthony. His purpose for this flea market is to help the community by opening this flea market and allow residents to sell items so they can make some money. Chairman Herrera read some of the conditions and requirements that Mr. Murguia must follow in order to start the process of requesting a zone change from the Planning & Zoning handbook. Mr. Murguia agreed with the requirements and said that he will follow them because he wants to do things

in order and the right way. Chairman Herrera also read to him pg. 28 of the Planning & Zoning Ordinance handbook. Mr. Murguia also presented a map with zoning codes saying that there are other commercial areas in that area. Chairman said that it would take several steps prior to making a decision. A public hearing needs to be held since he presented his proposed zone change. Mr. Murguia was advised that he cannot be given any answers today because there must be several public hearings and comments from the residents nearby who live in this area.

B. Case No. 12.07.005 – Mr. Jose Nunez wishing to annex his property to be included inside the city limits and establish a flea market.

Discussion: Mr. Nunez presented his case and would like to get his property annexed to be included within city limits. Chairman Herrera explained that Commissioners cannot make a decision because the Board of Trustees would be the only ones who can make a final decision. The Planning & Zoning Commissioners will just help by determining if this case would be adequate for the City of Anthony. Chairman Herrera said that he would like to have a special meeting to discuss his case as well as the previous case presented by Mr. Murguia. A special meeting will likely take place the same day of the next regular meeting. No decision was made for this case.

7. PUBLIC COMMENTS

Monica Anguiano-resident of Anthony, is asking to obtain a permit to sell fruit (nothing that she would handle with her hands) in her home. This is her second time coming to the Commissioners asking for this permit. Resident says that she was told that she needed to get proper permits and now she has them. Chairman read to her the Land Use Ordinance 2010-18 explaining that she cannot bring items from large stores to a small home. She was informed that she would need a variance to get her permit and be in compliance. Mr. Roman, Codes Enforcement/Building Inspector explained to her the process that she would need to follow. Mr. Roman will be contacting her to help her with the process.

Diana Murillo- resident of Anthony, is concerned about the safety of the possible flea market that Mr. Murguia is proposing. She explained several issues from the past where several pedestrian accidents had happened and asked Mr. Murguia if he would be responsible for covering the medical expenses. Mr. Murguia said he would not be adding any issues to the area.

Betty Gonzalez- resident of Anthony, said she was principal of Anthony Elementary which is the school on 4th Street and is nearby the proposed area for the flea market said that when illegal vendors were coming to sell their items illegally in this property, the school administration had to add extra supervision to the area in order to provide safety for their students and staff.

Chairman Herrera- said he would like to keep floor comments regarding the flea market proposals when the public hearings take place in the future.

8. COMMISSION MEMBER COMMENTS

Comm. Gonzalez- No comments

Comm. Madrid- Feels that Ms. Anguiano who asked for a permit to sell fruit at her home was not a public comment and she needs to come in and apply to be on the meeting's agenda so that her case can be heard.

Chairman Herrera- said he has told her to come and reapply.

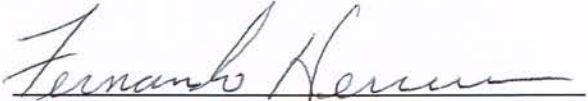
Comm. Brumlow- said she contacted New Mexico Municipal League and was told that the only training available is in May. She said that she asked to speak to the NMML Attorney and was told that he won't be in until August.

Chairman Herrera- asked Comm. Brumlow to keep following up with the trainings so that Commissioners can attend.

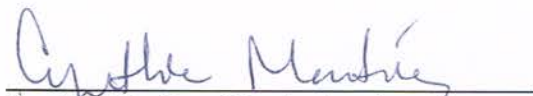
Comm. Brumlow- said that in regards to the case involving Ms. Anguiano, the resident lives in a residential area and this resident stated that she has seen a snow cone business there and Comm. Brumlow informed her that the snow cone business is just for 1 year and will be inspected when the year ends to see if they still meet regulations therefore it is not an established business, it is there with a 1 year condition for inspection. .

9. **CHAIRMAN COMMENTS** – would like to have a special meeting to discuss the two proposals for possible flea markets. Asked Cynthia Martinez, Purchasing Agent to find out if there is a possibility where Commissioners could host a closed meeting to discuss these two proposed flea markets.
10. **ADJOURNMENT** @ 6:47 pm, motion made to adjourn by Comm. Brumlow, 2nd by Comm. Madrid, unanimous vote, meeting adjourned.

APPROVED:


Fernando Herrera, Chair

ATTEST:


Cynthia Martinez, Purchasing Agent

{SEAL}

Prepared by Cynthia Martinez
Approved at Regular Meeting held on August 16, 2012